Alexandria Advertiser AND COMMERCIAL INTELLIGENCER.

VOL. II.] SATURDAY, FEBRUARY 27, 1802. [No. 373.

Sale by Auction.

On WEDNESDAY next,
At ten o'clock, will be sold at the Auction Room,
Rum in hhds. and bls.
Sugar in do.
Coffee in bags,
Soap and Candles in boxes,
Raisins in do.
Starch in do.
Tobacco in kegs, &c.—ALSO,
A quantity of Dry Goods,
Viz.
Kendal Cottons,
Kerseys,
Halfthicks, Plains,
Plaids, Coatings,
Duffils, Flannels,
Irish and Sheeting Linens,
German Oznaburgs,
Calicoes, Durants,
Shawls, Handkerchiefs,
Ladies' Silk Gloves,
Sewing Silks, Threads, &c.
H. and T. MOORE,
Feb. 8. Auctioneers.

Public Sale.

On TUESDAY,
At ten o'clock, will be sold at the Vendue Store,
3d and 4th proof Antigua and Jamaica Rum in hhds. and bls.
French Brandy in bls.
Holland Gin in bls.
Teneriffe Wine in casks,
Cordials in bls.
Sugar in hhds and bls.
Molasses in hhds.
Rice in tierces and bls.
Soap in boxes,
Queens and Earthen Ware in crates, handsomely assorted,
30 boxes Havanna Segars,
Cotton in bales---*on a credit.*
ALSO,
A variety of DRY GOODS,
—AMONG WHICH ARE—
Broad and narrow Cloths,
Flannels and Planes,
Carpets and Carpeting.
Irish and German Linens,
Worsted and cotton Stockings,
Calicoes and Ginghams,
A variety of Muslin and Muslin Handkerchiefs and Shawls,
Table Cloths, Hats,
Boots and Shoes,
Hardware, and
A number of other articles.
P. G. MARSTELLER,
Feb. 8. Vendue-Master.

FOR SALE,

A likely MULATTO GIRL about 15 years old. Enquire of the Printers.
Feb. 10. d3w

JUST RECEIVED

And for sale by the subscriber, lower end of PRINCE-STREET, a few barrels of
APPLES.
THO. SIMMS.
Feb. 25. d

GERMAN LINENS.

Joseph Riddle & Co.
HAVE FOR SALE
Best white Ticklenburgs,
Second qual. do.
Brown do.
Osnaburgs,
Brown Hempen Rolls,
White do.
Hessian do.
Brown Holland and Dowlas.
ALSO ON HAND,
A Quantity of
Turk's Island, Isle of May, and Cadiz SALT.
December 29. d

William Hartshorne

Has for Sale at his Mill, or in Alexandria,
Plaister of Paris by the ton, or ready ground by the bushel,
Indian Meal and Rye Meal, boited or unbolted,
Corn, or any other grain, ground for toll at the mill.
At his store in town,
Hay in bundles, Corn by the bushel,
Loaf and lump Sugar by the hogshead or barrel,
First and second quality James Tobacco, in kegs,
A few very good Mill Spindles,
Two good Scale Beams.
For Sale,
One Share in the Potomac Company,
A number of valuable Lots in town.
Also, for Sale or Rent,
A valuable Brick House on King street, now in the tenure of Thomas Cruse.
To Let,
A two story Frame House on Duke street, with a large garden and well of good water at the door.
1st mo. 18. d

ROBBERY.

One Hundred Dollars Reward.
THE subscribers' store was last night broke open and the following Cash and Goods taken therefrom, viz.
About 100 dollars in cash,
Cross-barred and striped coarse swansdown,
1 Piece of superfine brown cloth,
1 do. do. dark bottle green,
1 do. of dark brown superfine,
1 do. dark mixed brown superfine,
2 do. of blue fine cloth,
1 do. of dark mixture fine cloth,
3 do. lapet muslins,
Of sprigged muslins a number—also dimities; camel hair shawls; brown, red and blue bandannoes; yellow flaggs and cinnamon silk shawls; a number of India book muslins; womens' blue and white worsted and cotton stockings, men's fancy cotton stockings; a few pieces of Marseilles vest patterns and silk nankeen, together with a variety of other articles not particularly recollected.
The above reward will be paid to any person for discovering the Cash and Goods and convicting the thief or thieves; or Fifty Dollars for all the Goods, or in proportion for any part of the Goods recovered.
It is hoped all well disposed persons will interest themselves in discovering and bringing to condign punishment the perpetrators of this daring attack upon the property of citizens.
J. & M. SCHOLFIELD.
January 2. d
☞ Such Printers as are disposed to detect villainy are requested to insert the above.

JUST RECEIVED,

And for sale on a liberal credit, or to exchange for Flour,
1900 bushels of excellent Turk's Island Salt, and
40 bls. prime Beef.
I have also,
20 quarter casks Port Wine.
WM. HODGSON.
Feb. 3. d

JUST RECEIVED,
COARSE WOOLLENS,

Consisting of
Nap'd cottons, half thicks, paddings, striped blankets and kersey duffils---For sale on very moderate terms by the package, on the usual credit.
Wm. HODGSON.
Oct. 6. d

Cash given for rags.

FOR SALE,
The Cargo of the brig Little Sally, capt. Cozens,
From Rhode-Island, now landing and consisting of
French Brandy,
Holland Gin (entitled to drawback)
Country Gin,
West-India Rum, N. England do.
Loaf Sugar,
Castile Soap, Tanner's Oil,
R. I. Cheese of an excellent quality,
Soal Leather,
Russia and ravens Duck and Sheetings,
Cordage, 1 bale of Ticklenburgs, &c.
For Sale, Freight or Charter,
The said brig *Little Sally*, burthen about 650 barrels, an excellent vessel and well equipped. Apply to
J. G. LADD.
jan. 4. d

JUST RECEIVED,

And for sale by the subscriber, at his Grocery and Fruit Store, lower end of Prince street,
Fresh Oranges and Lemons in boxes from Lisbon,
Do. figs in frails,
30 boxes fresh bloom Raisins,
Soft shell'd Almonds,
Tamarins.
Also,
Apples by the barrel,
Shellbarks do.
Good Cyder do.
Soap and Candles in boxes,
Mould Candles do.
R. Island Cheese and Potatoes of a superior quality,
Queens Ware assorted,
And every other article in the GROCERY LINE.
Thomas Simms.
Feb. 6. d

JANNEY & PATON

HAVE FOR SALE,
90 Pieces of Russia Duck,
30 Ravens do.
6 Chests of Souchong Tea,
Havanna white & brown Sugars in boxes,
West-India do. in hhds. and barrels,
Coffee in bags and barrels,
Holland Gin in barrels,
Sweet Oil in boxes of 12 bottles each,
Castile Soap in boxes,
Shoes in boxes assorted,
East-India Goods.
Also,
The Cargo of the Schooner Lucy, captain Snow, consisting of
43 Tons Plaister of Paris,
60 Casks of Lime,
10 Barrels of Tanner's Oil,
115 Reams of Wrapping Paper,
40 Boxes of dipt Candles.
January 22. d

GEORGE KOCH,

Manufacturer of Chip and Straw Hats and Scoops,
AT GRACEHAM,
Having entered into contracts which preclude him from disposing of those articles by the Box, takes the liberty of requesting his friends and customers to direct their future orders to
Messrs. A. and I. SHRIVER,
IN FREDERICK-TOWN;
with whom he is under contract for a regular and extensive supply; and where orders will be properly and respectfully attended to, upon terms fully as advantageous, and more convenient, than would have been in the power of the manufacturer.
Frederick-Town, Feb. 12. d3w

JANNEY & PATON

Have just received and offer for Sale,
A quantity of New-England Rum, and Liverpool Ware in crates.
Feb. 2. d

An Apprentice wanted

Notice.
LAWRENCE OWEN having assigned all his property, for the benefit of his creditors, to the subscribers, all persons having demands against him are requested to present their accounts to
Wm. W. SMITH, Philadelphia, or
KENNEDY OWEN, Baltimore,
Feb. 24. d

In obedience to a Decree of the Court of Alexandria county, on Saturday the sixth day of March next, will be offered for sale on the premises, for ready money,
A Lot of Ground
Containing half an acre; lying upon the east side of Alfred street and south side of Cameron street, in the town of Alexandria; extending on Alfred street 176 feet 7 inches, and on Cameron street 123 feet 5 inches. There are a convenient two story frame dwelling house, with a kitchen and other out houses upon the lot. The lot is subject to an annual rent which will be made known on the day of sale. As the lot is large it will be divided into smaller dividends, and sold either in parcels or altogether as will best suit purchasers. This sale is made to satisfy a debt due from Thomas Richards to Thompson and Veitch.
JAMES KEITH,
JOHN JANNEY,
JOHN DUNLAP, } Com'rs.
Feb. 5. d

Twenty Dollars Reward.
ELOPED from the subscriber, this morning, a Negro woman, called
TEANY,
about 18 years of age. She had on, when she ran away, a jacket and petticoat of blue plains, an oznaburgh apron and a flannel under coat. She has naturally a wild look, and has a large welt upon her back, occasioned by a burn. It is very probable, if she has left town, that she has made for her parents who live at Mr. Turberville's Quarter, about 20 miles from Alexandria, on the Fall's Church road. The above reward will be given to whoever apprehends and secures the abovementioned woman, so as I may get her again.
THOS. RICHARDS.
Feb. 23. d

APPLES.

JUST received, and now selling, a parcel of excellent Apples in bls. Apply to
J. G. LADD.
Feb. 22. d

For Sale,
Antigua Rum by the hhd.
Raisins by the box,
Sugar by the barrel,
Dates, fresh from the coast of Barbary,
With a variety of other
FRUITS and GROCERIES.
ABEL WILLIS.
☞ *The HOPE will sail for Norfolk on Thursday next.*
Jan. 11. d

VALUABLE PROPERTY,

CONTIGUOUS TO ALEXANDRIA,
TO BE RENTED.
THE subscriber purposes, in the ensuing spring, to lay off, and lease forever, a considerable number of
BUILDING LOTS,
handsomely situated upon Washington, Fairfax and other streets extended; each lot from 20 to 25 feet in front, with the depth of 100 feet to a commodious alley; the whole commanding a delightful view of the City of Washington, the Potomac, and the circumjacent country.
As the Rent required is only 9d per foot front, none need apply but those who will convenant to build.
CHARLES ALEXANDER, jun.
Feb. 15. 6td 3taw

Congress of the United States.

HOUSE OF REPRESENTATIVES.

Tuesday, February 16.

Debate on the bill received from the Senate entitled "An Act to repeal certain acts respecting the organization of the courts of the U. States."

(Mr. Hemphill's Speech concluded.)

But, Mr. Chairman, is it probable that the framers of the constitution ever intended to invest congress with a power to destroy the office of a judge in a rising country like this, where all the various sources of litigation are daily encreasing? They foresaw that new judges would be wanted from time to time, but they never could have pictured to themselves a necessity of dispensing with the old judges. If we were framing a constitution this moment, if we had any regard for the independency of the judges, would we invest congress with a power to remove them, or take away the offices? We could calculate with a reasonable certainty, that if there should at any time be a necessity for their appoinment, there would always in this country be a necessity for their continuance; and we could trust this power to one legislature as confidentially as to another. If the framers of the constitution could have entertained any suspicion that a legislature in 1801 would create useless judges for party purposes, with equal propriety they might have supposed that a legislature in 1802 would destroy useful judges for party purposes.—But the independency of the judicial department was the object.—This was an invaluable principle, and not more liable to abuse than any other principle fixed by the constitution, and there was no principle so necessary to be settled as the independency of the judges. If we are to argue from the abuse of power, what is there to prevent Congress from admitting into the union more new states than would be for the advantage of the nation; the late administration, with the consent of the legislature of Massachusetts, might have erected the province of Maine into 15 or 20 states; the fact is, if there is a necessity for a new state at the time of its admission into the union, the probability is, that there will always be a necessity. So if there is a necessity for a judge at the time of his appointment, the probability is that there will always be a necessity, and the legislature giving birth to the one or the other, are the constitutional judges of that necessity, and no other legislature has a right to interfere. My opinion is that the framers of the constitution intended that the judges should be independent of both the other branches of government; that they have spoken plainly and unequivocally; and that the moment the judge is appointed the office is ingrafted in, and becomes a part of the constitution, and cannot be taken away without impairing the constitution itself.

With regard, Mr. Chairman, to the distinction that is taken between the supreme and inferior courts, for my own part I cannot see any force in the argument. Any person of common candour must acknowledge, when he reads the first section and second section of the 3d art. that there is as imperative an injunction to establish some inferior courts as there is to establish one Supreme Court. It is said that the Supreme Court shall have *appellate* jurisdiction, and of course there must be inferior courts from which the appeals are to be made, and the duration of office in both courts is contained in the same sentence and words; and it is absurd to suppose that the framers of the constitution affixed a double meaning to these words—the reasons urged against our construction, apply as well to the supreme court as to the inferior courts; a dying administration could provide for its friends by increasing the number of judges in the supreme court with as much facility as by creating inferior tribunals. But, Sir, if Congress have the power contended for, there is not a judge on the supreme bench who is not completely in their power. The constitution does not say how many judges there shall be, so that you may remove all but one, or you may pass a law placing six new judges on the bench by the side of the present judges, and then for the good of the people, conclude that twelve judges are unnecessary, and repeal the law which created the first six judges, and the imperative words in the constitution will be complied with, the supreme court being always in existence. I see nothing in the constitution which prohibits congress from changing the name of an inferior court, if by the same act the office with all that appertains to it is some where preserved. And that congress have a right to transfer some of the duties of the judges from one tribunal to another is clear and evident, it is incident to the power of constituting new tribunals; for when a new court is created, some of the business which would have been cognizable in the old court, must be transferred to the new tribunal. It was this kind of power that congress exercised in passing the law last session; but they did not touch the office, which consists in certain powers, jurisdiction, and authority, conferred on a particular person, requiring of him certain duties, which may be exercised in a court bearing a different name from that of the judge. Under the old system the district judges sat in the circuit courts, the supreme judges sat in the circuit courts; and under the old system the district judges of Kentucky and Tennessee had the powers cognizable in a circuit court, with some exception as to appeals, and writ of error; and the 24th section of the law of 13th February, 1801, which abolished the two district courts, transferred the constituent parts of the offices, to wit, all the power, authority and jurisdiction of the said courts into the circuit courts, and by the 7th section of the same law, the district judges of Tennessee and Kentucky, with a circuit judge, are to hold the circuit courts, and in the same section it is expressly declared, that when the *offices* of the district judge, in the districts of Kentucky and Tennessee respectively, shall become *vacant, such vacancies* shall be supplied by the appointment of two additional circuit judges, which appointment of course must be made in the usual way. And in the 3d section of the same law, congress have virtually acknowledged their want of power to take away the office of a judge, have provided that after the next vacancy in the supreme court, it shall consist of five justices only. And as to the additional salaries of the district judges, they will be presumed to be equal to the additional duties, until a complaint is made, and then the fact must be ascertained.

This law then, Mr. Chairman, which expressly recognizes the judge, which expressly continues his duties, and which expressly continues his salary, is likened to a law which destroys the office of a judge, takes away his duty, takes away his salary, and leaves his commission on a blank piece of paper; and this is the rock on which gentlemen stand, when they triumphantly ask were we the guardians of the constitution when the first law was passed.

Mr. Chairman, ingenuity has been exhausted in contriving cases wherein it is said our constitution will not hold good. It is asked if in the case of a war a whole state should be ceded, if the offices of judges would remain? Certainly not; but here the provisions in the constitution would not be complied with, the whole strength of the nation would not be sufficient to protect it, yet it would be a case of necessity, calamity of war, which no constitution can provide against—and in the case put, the most important part of the constitution would not be complied with, which guarantees to each state in the union a republican form of government; yet in that event the people of the ceded state might become the slaves of a tyrant.

But, Mr. Chairman, a doctrine new and dangerous has began to unfold itself. It is said that the judiciary is a subordinate and not a co-ordinate branch of the government: that the judges have no right to declare a law to be unconstitutional; that no such power is given to that branch in the constitution. Why, sir, it is no where declared that congress have a right to exercise their judgment, or to consider the expediency of a measure; the judiciary from the nature of their institution are to judge of the law and what is the law? the constitution is paramount and supreme: the judge is bound by his oath to support it; the legislature have a right to exercise their judgment as to the constitutionality of a law on its passage: but the judiciary decide at last, and their decision is final. This doctrine is admitted in the debates of the convention of Virginia. In the case of *Vanborne, lessee, vs. Dorrance*, judge Paterson has expressed the same opinion when he could have had no view to this question. "I "hold it to be a position equally clear, "and found, that in such a case, it will "be the duty of the court to adhere to "the constitution, and to declare the act "null and void. It is an important "principle, which in the discussion of "questions of this kind, ought never to "be lost sight of, that the judiciary in "this country is not a subordinate, but "co-ordinate branch of the government." The chief magistrate of Pennsylvania has recently expressed the same sentiments, and the correctness of his legal opinions will not be called in question by any party; in assigning his reasons for not approving a law, he says: "And I cannot from "a confidence in the legal knowledge, "integrity, and fortitude of my former "brethren in the supreme court, risk my "character in a judicial decision on this "question, when I do not foresee any "advantage to be derived to my country from a possibility of success."

But, Sir, if it is once established that the judiciary is a subordinate and dependant branch of the government, I acknowledge that they have no right to judge of the constitutionality of a law, or if they have the power, they will be afraid to exercise it. Upon this principle where will an influential partizan and an insignificant individual meet to adjust their claims; in this house or in a tribunal under the influence of this house? Where will the powerful state of Virginia and the state of Delaware meet upon terms of equality, in this house, or in a tribunal under the immediate controul of this house? Where could the federal administration of justice in this country be deposited with more safety than where it is? Entrenched as our judges are, they can do but little harm, but much good; from their situation they can have no temptation to make inroads upon the rights of the people; there is no such thing as judicial patronage; they can appoint no officers, collect no money, raise no armies, raise no fleets. They have nothing but their virtue and talents to recommend them to the people. If it is within the power of human contrivance to select a spot, where the streams of justice will flow pure and uncontaminated, it is in a tribunal of independent judges.

The three grand branches of our government are well arranged. The President has his proportionate weight in the judiciary, by appointing the judges, and when they are appointed they are independent; and in this situation are to guard the legislature from making encroachments on the liberties of the people. The legislature in turn have a check on them by bringing them to trial and punishment, if they should become corrupted? This trial is to commence in this house, which will always be a repository of a sufficiency of passion and spirit to commence the impeachment if there is a reasonable cause—the trial is to be ended in the Senate, where the members, from their permanency, will be likely to be cool, and not convict, unless they are guilty. Thus the parts are interwoven operating as checks and controuls on each other; but once cut the ligament, and perhaps the dreadful consequences have not been too highly colored. The effect may not be immediate, but let the principle be practised upon by two or three changes of administration, and it will become as much a matter of course to remove the judges, as the heads of department, and in bad times, the judges would be no better than a sword in the hands of a party to put out of the way great and obnoxious characters for pretended treasons.

The independency of the judges was a great point gained by the people of England. While the tenures of office depended on the nod of the crown, they supported the arbitrary measures of the king in one instance they decided that the king had a right to levy ship money, without the consent of Parliament or people; and many an instance might be bro't to the recollection of the honorable committee, where they determined through fear and not from judgment. It is said they are not independent of Parliament. Why, sir, nothing is independent of Parliament; and there is not the same necessity there. There being no written constitution the judiciary forms no check upon Parliament—and besides, our government is not a copy of the British government; and this is not the only solitary instance, where we have out stripped, as it is called, our too favorite prototype.—There is not a leading feature in the constitution that bears testimony of any servile imitation; it is our opponents who wish to test our constitution by the principles of the British government, it is they who wish that a construction be put upon the constitution by congress, which shall be considered as the constitution itself; and are unwilling that there should be any check to oppose it; and of course every construction put on it by the different legislatures will exhibit the appearance of a new constitution, a constitution to be tossed and blown about by every political breeze. The powers of congress will be equal to the powers of the English parliament, transcendant, splended and without controul.—I little expected that such lordly power would be grasped at by our plain republicans, who have no ambitious desires, and who wish rulers to be contented with humble prerogatives.

Mr. Chairman, when I reflect upon the intrinsic nature of the question, I am confounded and amazed—it is vast indeed—from a dread of its terrible consequences. Yet in its nature it consists in the open denial of the obvious meaning of a few words in the constitution—we repeat the words, gentlemen deny their plain sense—We read "That the judges both of the supreme and inferior court shall hold their offices during good behavior." Our opponents say that these words do not mean "that the judges of both the supreme and inferior courts shall hold their offices during good behavior." The meaning of these words is entirely different; it is in fact the reverse; they do not infringe our power; they refer to the executive; although the office to be holden is not of executive creation, and he can neither make it or destroy it; the thing to be holden during good behavior is an object of legislative creation. Certainly our opponents cannot drive us off the firm ground on which we stand, and tell us that these words are not in the constitution. They are, and how are they to be gotten rid of? No other way under heaven, Mr. Chairman, than by a bold arbitrary assertion that they do not bear their natural meaning; that they do not bear the same meaning which they bear in another part of the constitution.

The people have said that a judge shall *hold* his office until a certain event shall happen—the rulers say no, we will shorten the period, and this is not breaking the constitution; or, in other words, the people have said that a judge shall hold his *office* during good behavior; the rulers say, the meaning of that is, that the office can be taken away at any moment. Why, sir, what part of the constitution will hold gentlemen, what words are in it that are strong enough, and what meaning cannot be as easily distorted and perverted? We have a right to our seats here for two years if we do not behave disorderly; yet it might as well be said that the meaning of that is, that two thirds can expel the other third, at any moment notwithstanding their good behaviour.—Our opponents complain of the want of power—that their power would be too much cramped and restrained from its natural freedom by our construction. Why, sir, that is the object of a written constitution, to place objects out of the reach of legislative power. It is its great and grand design.

I ask pardon of the committee for detaining them so long. I ascribe no wicked motives to our opponents. I have the charity to believe that their motives are good and virtuous; yet I am confident that through a mistaken zeal for the good of the people, they are going too far, and are destroying the constitution of our country.

Wednesday, February 17.

Mr. Thompson—I find the opinions I entertain, so extremely adverse to the sentiments yesterday expressed on this subject by the honorable gentleman from North-Carolina (Mr. Henderson) which opened this debate, and the honorable gentleman from Pennsylvania (Mr. Hemphill) whose great ingenuity I feel pleasure in acknowledging, that I feel myself impelled to offer to the consideration of the committee a few observations in reply to the arguments used by those gentlemen. But, Mr. Chairman, whilst I pay the tribute of my respect to the eloquence and ability which the gentleman from North-Carolina has displayed in the discussion of this subject, I must pray that honorable gentleman to pardon me when I declare myself unable to follow him, when soaring on fancy's airy pinion he transported us across the Atlantic, and presented to our view, in the most vivid colours which

language can portray, the ſpirit of innovation ſweeping morality and good order from the earth. Nor will I pretend, Sir, that my humble genius will enable me to purſue him, when he forced this ſame ſpirit of innovation to mount the whirlwind and laſh on the ſtorm. But, Sir, with ſuch talents as I am endowed with, I have no objection to going into the conſideration of the queſtion before the committee, and purſuing the order which the gentleman has had the goodneſs to ſuggeſt, as the moſt natural into which the ſubject can be divided—that is 1ſt—The power of the legiſlature to paſs, and 2dly, The expediency under the exiſting ſtate of things of paſſing the bill now upon your table.

Under theſe two heads I will endeavor to meet, as far as I ſhall be able to recollect them, the moſt impreſſive arguments which have been uſed by the gentlemen, and I will beg leave in the firſt place to call the attention of the committee to the 8th ſection of the firſt article of the conſtitution, which has been very ſlightly touched on by the gentleman from North Carolina, and which has been attended to, with much ingenuity by the gentleman from Pennſylvania. By this ſection the legiſlative powers of congreſs are defined. Congreſs ſhall have power, ſays the conſtitution, to levy taxes, to borrow money, to coin money, and, among a variety of other powers, "To conſtitute tribunals inferior to the ſupreme court." It is an axiom in politics that an ordaining power always embraces a repealing power; if congreſs have a right to conſtitute courts, they have the right to modify and to annul the courts ſo conſtituted, this, like various others, is merely a diſcretionary power to be exerciſed, or not exerciſed, as congreſs ſhall find conducive to the public welfare; the granting a power does not oblige the exerciſe of that power: neither does the exerciſe of power make the laws reſulting from that conſtitutional exerciſe of power, unchangeable and irrepealable. The ſame conſtitution, giving this power, gives various other powers as I have already ſhewn; yet it has never been contended that the laws paſſed under theſe conceded powers are irrepealable. Still, by a parity of reaſon, and with a reference to this particular ſection of the conſtitution, if the laws relating to the judiciary eſtabliſhment of the United States are irrepealable, ſo muſt the various laws paſſed under theſe granted powers, relating to your revenue, to your army, to your navy, to your mint, be irrepealable. But every gentleman knows that laws reſulting from theſe powers have been paſſed, have been modified, and have been repealed; and ſo likewiſe has the law eſtabliſhing the judiciary ſyſtem. Without carrying you through the tedious detail of the 26 or 27 laws, which have been paſſed upon this ſubject, it will be quite ſufficient for my purpoſe to notice the law of the laſt ſeſſion of congreſs; the 27th ſection of which begins with theſe words: "And be it further enacted, that the circuit court of the United States heretofore eſtabliſhed ſhall ceaſe and be aboliſhed." We travel not then in a wilderneſs, Mr. Chairman, untrodden by human footſteps; our immediate predeceſſors, it appears to me, are the pioneers who point out to us the path we ſhould purſue for the benefit of our conſtituents: They have not only aboliſhed the circuit courts, but reorganized the whole ſyſtem; they have conſtituted new courts and new judges, and they have leſſened the duties of the judges of the ſupreme courts. To ſay that a ſubſequent legiſlature have not a right to repeal a law of a precedent legiſlature is to proclaim ſuch precedent legiſlature infallible. That they are more juſt, more wiſe, more competent to the exerciſe of their functions, than any legiſlature which ſhall follow them. It is a contradiction of the progreſs of knowledge, and of the improvements which may reſult from experience; it is a denial of the utility of frequent elections; becauſe that legiſlature which had attained the acme of perfection ought to be permanent and unchangeable. The law however of the laſt ſeſſion, which I have juſt now cited, having modified the courts of the United States, concedes the power of modification to be in the legiſlature. But, ſir, even this conceſſion, ſuch as it is, is now by the arguments of gentlemen, ſo clogged with appendages, ſo qualified by expoſitions, that whilſt with one breath the power of modification is admitted, with the very next that power is unnerved, is rendered uſeleſs; ſays the gentleman from North-Carolina, a department of the government has been erected, called the judiciary, not holding their offices during pleaſure, but during good behavior, and whatever power attempts to deprive them of their offices violates the conſtitution. It is admitted then that congreſs have power to modify the law; but it is denied that they have power to aboliſh the offices of the judges.

(To be continued.)

PHILADELPHIA, February 24.

Captain Monteith, of the brig Joſeph Harvey, arrived yeſterday from Cadiz, informs, that while there he received a letter from Captain Blackwell, dated Algeſiras, December 21, ſtating the capture of a Tripolitan Brig and two hundred men by the United States Frigate Philadelphia.

The Boſton Frigate had arrived at Algeſiras. The Preſident, Commodore Dale, and the Philadelphia, Captain Barron, were cruiſing off Tripoli, in December. The Eſſex, Captain Bainbridge, was off Gibraltar.

Arrived, Ship Preſident, Welden, N. York; Brigs Sally, Thompſon, Martinique; Joſeph Harvey, Montieth, Cadiz; Sloop James, Lagar, Baltimore.

Cleared, Schooner Weymond, Boſton, Richmond.

Brig Sally, Thompſon, from Martinique, left there Jan. 27 the following veſſels; Ship Fame, M'Dermott, of and for Baltimore to ſail in 12 days; Brigs Betſey, Arnold, Eaſt Greenwich, to ſail in 4 days for New-York; Betſey, Williams, New-London, to ſail in 15 days; Ann, Vinſon, of Baltimore, in 8 days to leeward; Phillip, Smith, of and for Baltimore, in 10 days; Cleopatra, Petton in 5 days; Angenora, Price, to ſail next day for Cape Francois; Charlotte, Hudgins, Wilmington, N. C. in 25 days; Hannah, Gardner, to ſail in 3 days for a market; Emily, Price, of Baltimore, carried in the 26th, from Antigua; Schooners Lucinda, Vickery, do. ſold, for the Spaniſh Main; Molly, Stevens, Marblehead, or the Spaniſh Main; Walter, Roarman, Wethersfield, in 10 days; Friendſhip, Aplin, Edenton, N. C. in 6 days; Rhoda, Green, juſt arrived from Cape de Verd Iſlands; Courier, of Baltimore, juſt arrived; Sloops Maria, of Philadelphia, to ſail in 5 days for Dominica; Ann, Boardman, for New-York, in 10 days.

Capt. E. ſpoke on the 10th Feb. ſchr. Trio, ——— from Norfolk to the Havannah, and on the 11th inſt. in lat. 30, long. 74, parted company with the brig Ruby, Anderſon, of and for Philadelphia from Martinique.

Arrived, brig Joſeph Harvey, Monteith from Cadiz. Left there the following veſſels:

Ship Harry, Boyd, of Philadelphia; Sydney, ———, Baltimore; brig Chatham, Vanneman, of Philadelphia; ſch'r Jane and Maria, Devereux, do.

The ſchooner Roebuck, Dawſon, of N. York, entered Cadiz bay in the beginning of January, but was ordered away on ſuſpicion of having the Yellow Fever on board.

Captain Monteith ſpoke the following veſſels:

Feb. 3, lat. 28 51, long. 58 25 W. ſchooner Sally, Prior, of Duxbury, out 13 days, for Martinique. Feb. 4, lat. 28, 51, long. 60 23, brig Trial, of Salem, for Martinique, out 14 days. Feb. 8. lat. 30, 8, long. 68, ſchr. Exchange, of Baltimore for La Guira.

Alexandria Advertiſer.

SATURDAY, FEBRUARY 27.

In publiſhing a liſt of the officers of the Waſhington Society, for the enſuing year, we omitted mentioning that Dr. ELISHA C. DICK was choſen Vice Preſident.

HOUSE OF REPRESENTATIVES, OF THE UNITED STATES.

On *Wedneſday* and *Thurſday* the houſe were excluſively occupied until a late hour in debate on the judiciary law.

On *Wedneſday* Mr. *Goddard* firſt took the floor, and ſpoke againſt the repealing act; he was followed by Mr. *Iſrael Smith*, who ſpoke in favour of it.

Mr. *Huger*, moved that the committee ſhould riſe.

Loſt—Ayes 34—Noes 51.

Mr. *Rutledge* roſe at half paſt 2 o'clock, ſpoke againſt the repealing act, and continued on the floor till half paſt 4 o'clock, without concluding his remarks.

On *Thurſday* Mr. *Rutledge* finiſhed his remarks, after ſpeaking from 11 till 2 o'clock.

He was followed by Mr. *Dawſon*, who ſpoke in favour of the repealing act, when Mr. *Griſwold* ſpoke againſt it till 4 o'clock, without finiſhing his remarks.

(Nat. Intel.)

It appears highly important that the people of the United States of America, and thoſe in Europe who have property or buſineſs here, ſhould attend to the wonderful diſplay of our reſources and proſperity, in the official return of the exports of the United ſtates, of the 10th February, 1802. That report contains the exportations during twelve months, ending on the 30th Sept. 1802. It exceeds 93,000,000 of dollars, or nearly the ſum of 21,000,000 of pounds ſterling. The cotton alone is nearly 21,000,000 of pounds weight, tho' we did not ſhip a ſingle bag of our own cotton at the end of our revolutionary war! Our flour is encreaſed to 1,100,000 bbls. our tobacco 163,000 hhds. our Indian corn 1,768,000 buſhels, our lumber 200,000,000 of pieces and feet, our beef and pork 146,000 barrels; the bacon, butter, cheeſe, lard, and candles, are above 10,500,000 pounds weight. The moſt aſtoniſhing circumſtances are the vaſt quantity of cotton, and the total amount of the return. It is hoped that every editor of a gazette in the United States will publiſh (from an original treaſury copy if poſſible) this very important document.

FROM THE GAZETTE OF THE UNITED STATES.

Mr. Bronſon,

THERE is a very ſingular kind of a man now reſiding in the ſtate of Vermont; the inhabitants call him the Hermit of the Mountain, but he calls himſelf Nathan Ben Aſhur. He is evidently of Jewiſh extraction; he retains all the rites and ceremonies of the Hebrews, and his ſtyle and manner bear a near ſimilitude to that of the Ancient Scribes. His living is ſimple; the fruit of the woods is his food, and water from a ſpring allys his thirſt; his devotion is fervent and ſincere, and thoſe who are within the circle of his acquaintance reverence him for the piety of his life and the ſanctity of his manners, and more eſpecially for the foreſight into futurity, for which he is eminently remarkable. He lives in a Cave dug out of the ſide of a mountain, ſhaded by a foreſt of lofty trees. But from what part of the world he came, or why he became a recluſe, muſt remain a ſecret until his death, when it is ſuppoſed he will leave, for the benefit of mankind, a precious collection of his labors.

As the following Viſion ſeemed to be intereſting at the preſent time, he voluntarily communicated it to an intelligent friend of his acquaintance to be made public. Without doubt your readers will be pleaſed with it, not only for its novelty, but alſo for the intereſting matter it contains.

THE VISION
OF
NATHAN BEN ASHUR.

1. In the firſt year of Jefferſon, the Preſident, in the ſecond month, on the tenth day of the month, Nathan Ben Aſhur had a dream, and viſions of his head upon his bed, then he wrote the dream and told the ſum of the matter.

2. And Nathan Ben Aſhur ſpake and ſaid, I ſaw in my viſion, by night, and behold! a bright form, in the ſimilitude of one of the ſons of men, deſcended upon the earth. He was cloath'd in purple, and had a glittering Tiara upon his head, and in the folds of his mantle were written in large golden letters, "THE GENIUS OF AMERICA."

3. And lo! as I was ſtanding by the Synagogue of Calvin, he beckoned unto me with his hand, and ſaid follow me, and I will ſhew you the ſigns of the times.

4. And it came to paſs, that as we drew near to the Synagogue, the doors thereof flew open, and we entered into the innermoſt part thereof, and lo! we eſpied an old man with a pair of ſcales; in one of the ſcales was good Wheat, and in the other ſcale was Chaff, Cockle and Cheat and ſome grains of good wheat, but the chaff appeared heavier than the wheat, and I marvelled there at.

5. And I ſaw alſo two Women; one held a diſtaff in her hand and ſhe was ſpinning of flax, and ſhe was fair to look upon, and of a beautiful countenance; and the other woman was ill favoured, and was cloathed in the attire of a harlot, and her hair was diſhevelled, and ſhe appeared to be diſtempered in her underſtanding, for ſhe would ever and anon be plucking the cloaths from the beautiful woman and cried continually with a loud voice "Liberty and Equality forever."

6. Then my guide ſpake and ſaid hearken unto me, thou ſon of man; the opening of my lips ſhall be of right things; attend unto my words and thou ſhalt gather inſtruction from what thou haſt ſeen.

7. The ſcales which thou ſaweſt are the political balances of governments. The old man is Juſtice, and the wheat are thoſe who tread in the footſteps of Penn, Waſhington and Adams. But the chaff are they who follow after thoſe that are given to change, even the fooliſh philoſophers of the preſent day, and they are called Democrats.

8. The woman thou ſaweſt, with the diſtaff in her hand, is Wiſdom with the ſign of Induſtry in her hand, and the ill favored woman who had the appearance of an harlot, who was plucking off the cloathes from the beautiful woman, repreſents thoſe who love to live on the labour of others; and whereas ſhe appeared to be bereaved of her wits, it repreſents the madneſs of Democracy, that can bear no reſtraint, but runs wild in the theory of things that can never be obtained.

9. And whereas thou ſaweſt that the ſcale which held the chaff appeared heavier than the ſcale that held the wheat, now turn thine eyes under the ſcale and thou wilt ſee the cauſe thereof.

10. And I did ſo, and lo! a chain was faſtened to the ſcale, and an ill favoured one held the chain, and he had the appearance of a fiend from the bottomleſs pit, and the ſmell of him was as the ſmell of fire and brimſtone.

11. Then a great wind aroſe from the eaſt and carried away the chaff, the cockle and the cheat; and the wheat remained, and the old man gathered up the wheat and put it into fine golden veſſels.

12. Then my guide, moreover, ſpake and ſaid, the chain which thou ſaweſt is the combination of wicked men to overturn the government, and the man holding the chain is anarchy; but his power is limited and his reign will ſoon have an end.

13. And whereas thou ſaweſt ſome good wheat mixed with the chaff, theſe are they who will return to the ſober manners of their forefathers, yea they will reſpect, in the day of their humiliation, the wiſdom of former years and reverence the ſacred truths delivered by their elders.

14. And my guide moreover ſpake and ſaid, publiſh the things thou haſt ſeen and ſend them forth into all lands, that the virtuous may be encouraged to hold on their way, and the valiant be animated to reſiſt the ſophiſtical notions of the vain philoſophers of this our day.

NATHAN BEN ASHUR.

Public Sale.

At the houſe of Mr. A. CAYOL, Prince ſtreet, next door to Mr. M. Miller's, will PEREMPTORILY BE SOLD, *on Tueſday next, at 10 o'clock,*

A VARIETY OF

Houſehold and Kitchen FURNITURE,

And

A quantity of JEWELRY:

Conſiſting of gold and ſilver watches, gold necklaces and watch chains, bracelets, ear rings, rings, ſilver table and tea ſpoons, with a number of other articles.

P. G. MARSTELLER,
Feb, 26. Vendue Maſter.

PUBLIC SALE.

On TUESDAY next, at half paſt ten o'clock, will be ſold the Vendue Store,

Two bales of

INDIA MUSLIN.

and a number of other Dry Goods.

P. G. MARSTELLER, V. M.
February 27.

☞ *Removal.*

Robert & John Gray

Have removed their

Book and Stationary Store

from Prince ſtreet, to the ſtore lately occupied by Pomery and Iſabel, in King ſtreet, fourth door from the ſouth eaſt corner of King and Royal ſtreets.

Feb. 3. d3t

POTOMAK COMPANY.

THE Locks at the Great Falls being now completed & boats consequently being enabled to pass without interruption to tide water, the president and directors have established toll-gatherers, at Williamsport, Hookes's Falls and the Great Falls, who will receive the respective tolls authorised by law as per table subjoined, and they require all persons who use this navigation, to observe the following regulations, which have been deemed indispensibly necessary, for the interest of the institution and the accommodation of the public

No BOAT will be permitted to pass the locks at the Great Falls, until the whole tolls payable are discharged; but to obviate the delay of stopping at the different places above the Great-Falls, where tolls are demandable, any person may pay the whole tolls chargeable on such boat and cargo, to the toll-gatherer at the Great-Falls. The President and Directors, however being desirous of affording every accommodation to the inhabitants of the upper country consistent with the interest of the company, have authorised the Treasurer to enter into such arrangements with the owner or consignee of produce coming down the river, as will save the trouble and inconvenience which may arise from exacting immediate payment of the tolls on each particular cargo, as stipulated by law. Upon application to the treasurer at George-Town, and securing to his satisfaction the payment on demand in George-Town, the City of Washington, or Alexandria, of tolls on produce expected down the river, he is directed to give instructions to the toll-gatherer at the Great Falls, to allow such produce to pass, on receiving from the person entrusted with the carriage of such produce, his order or the order of the owner or shipper of the same, for tolls payable thereon upon the person or persons resting either in George-Town, the City of Washington or Alexandria, according as may have been previously arranged with the treasurer as aforesaid, but in all cases the amount of the tolls is to be ascertained and endorsed on said order by the toll-gatherer.

II. It is recommended to all persons carrying produce or other articles down or up the river, to bring with the same a manifest signed by the shipper, shewing the place of shipment, the number of packages and contents, to whom belonging, and to whom consigned, in order to enable the toll-gatherers to ascertain the different tollage to which the cargo is subjected, without the trouble and detention to the parties concerned, of unloading the cargoes for that purpose, and to avoid all disputes respecting the payment thereof.

All persons attempting to defraud the company, by passing any of the places where the tolls are payable and not discharging the same at such place or at the Great Falls as herein provided for, will be informed against by the agents of the company, and prosecuted to the utmost extent of the law.

On articles landed at Watt's branch, the same tolls must be paid as are demandable at the Great Falls. Upon articles coming down the river, no tolls are payable at the Little Falls, except upon such as have not passed the Great Falls, and no tolls are payable at the Little Falls upon articles passing up the river, except upon such as may be unloaded between the Little Falls and the Great Falls.—The rates of tolls at the Little Falls are the same as at Conegocheague.

JAMES KEITH, *President*,
JOHN MASON,
WILLIAM H. DORSEY,
JOHN LAIRD. } *Directors.*

January 6, 1802.

TABLE OF TOLLS.

	TOLLS IN STERLING MONEY, AS ESTABLISHED BY LAW.			SAME TOLLS REDUCED TO THE CURRENCY OF THE UNITED STATES.		
	At or near the mouth of Conegocheague.	*At or near Hookes's Falls.*	*At the Great Falls.*	*At or near the mouth of Conegocheague.*	*At or near Hookes's Falls.*	*At the Great Falls.*
	Sh. Pence	Sh. Pence	Sh. Pence	Dollars. Cents.	Dollars. Cents.	Dollars. Cents.
Every pipe or hogshead of wine, containing more than 65 gallons,	1 6	1 6	3	33 18-54	33 18-54	66 36-54
Every hogshead of rum or other spirits,	1 3	1 3	2 6	27 42-54	27 42-54	55 30-54
Every hogshead of tobacco,	1	1	2	22 12-54	22 12-54	44 24-54
Every cask between 65 and 35 gallons, one half of a pipe or hogshead; barrels one fourth part; and smaller casks or kegs in proportion according to the quality and quantity of their contents of wine or spirits,						
For casks of linseed oil, the same as spirits,						
Every bushel of wheat, peas, beans, or flax seed,	½	½	1	50-54	50-54	1 46-54
Every bushel of Indian corn or other grain, or salt,	¼	¼	½	25-54	25-54	50-54
Every barrel of pork,	6	6	1	11 6-54	11 6-54	22 12-54
Every barrel of beef,	4	4	8	7 22-54	7 22-54	14 44-54
Every barrel of flour,	3	3	6	5 30-54	5 30-54	11 6-54
Every ton of hemp, flax, pot-ash, bar or manufactured iron,	2 6	2 6	5	55 30-54	55 30-54	11 6-54
Every ton of pig-iron or castings,	10	10	1 8	18 28-54	18 28-54	37 2-54
Every ton of copper, lead, or other ore, other than iron ore,	2	2	4	44 24-54	44 24-54	88 48-54
Every ton of stone or iron ore,	5	5	10	9 14-54	9 14-54	18 28-54
Every hundred bushels of lime,	1 3	1 3	2 6	27 42-54	27 42-54	55 30-54
Every chaldron of coals,	5	5	10	9 14-54	9 14-54	18 28-54
Every hundred pipe staves,	2¼	2¼	4½	4 9-54	4 9-54	8 18-54
Every hundred hogshead staves, or pipe or hogshead heading,	1½	1½	3	2 42-54	2 42-54	5 30-54
Every hundred barrel staves, or barrel heading,	1	1	2	1 46-54	1 46-54	3 38-54
Every hundred cubic feet of plank or scantling,	10	10	1 8	18 28-54	18 28-54	37 2-54
Every hundred cubic feet of other timber,	5½	5½	11	10 10-54	10 10-54	20 20-54
Every gross hundred weight of all other commodities or packages,	1½	1½	3	2 42-54	2 42-54	5 30-54
And every empty boat or vessel, which has not commodities on board to yield so much, except an empty boat or vessel returning, whose load has already paid at the respective places the sums fixed at each, in which case she is to repass toll free.	2 6	2 6	5	55 30-54	55 30-54	11 6-54

N. B. A barrel of flour brought from above Conegocheague to tide water pays for tolls in all, 22 cents and 2-9ths of a cent.
A hogshead of tobacco brought from above Conegocheague to tide water pays for tolls in all, 88 cents and 8-9ths of a cent.

House of Entertainment.

Randolph Mott,

RESPECTFULLY informs his friends and the public in general, that he has opened an INN in the Town of Alexandria, in the house lately occupied by captain Charles M'Knight, where he intends using his utmost exertions to give general satisfaction to those who may favor him with their custom, which from his experience in the business he flatters himself he shall be able to do on the most reasonable terms.

January 5. taw2teo

NOTICE.

In the case of ANDREW RAMSAY & WM. RAMSAY. } Bankrupts.

The subscriber being duly appointed assignee of the estate and effects of the said *Andrew Ramsay* and the said *William Ramsay*. All persons indebted to the said bankrupts, or that have any of their effects, are hereby required to pay and deliver the same to the subscriber and to no other person whomsoever.

JOHN Mc'IVER

Alexandria, Feb. 25. eo12t

FALL GOODS.

CUTHBERT POWELL

Has received, per the Eliza, from Liverpool, an Importation of

Fall & Winter Goods,

which he is now opening at the store lately occupied by Messrs. A. and W. Ramsay, on King-street, and which he offers for sale on moderate terms by the piece or package.

Also,

25 Crates Earthen Ware,

well assorted Sept. 29. eo

LIVERY STABLE,

And HORSES & CARRIAGES

TO HIRE.

THE subscriber respectfully informs the public that he takes horses on livery, and keeps some excellent horses and carriages to hire.

Also,

A few good SADDLE HORSES for sale.

Apply in part of the house formerly the Swan Tavern, King street, to

JOHN HODGKIN.

Jan. 25. eo18t‡

Valuable Property for Sale.

Seven hundred and eighty-eight acres in the county of Hampshire, on the waters of Great Cape Capon, about 20 miles from the Warm Springs, and 30 from Winchester. This land is full of wood oak and pine timber. Two excellent farms may be made, with 30 to 50 acres of bottom, and rich high lands to each; and in the heart of the timber there is a fine seat for a saw-mill. Capt. Daniel Rice will shew the lands

Three thousand eight hundred and forty-five acres in the county of Ohio, on the waters of Grave and Fish Creeks, near the river Ohio, and about 80 miles below Pittsburgh. Some of these lands are very good, with considerable quantities of rich bottom, and plenty of excellent timber. Robert Woods, Esq. the Surveyor of that county will shew these lands.

I will sell all or any of the above lands for cash or upon credit, or take in exchange for them lands in Fairfax County, or lots of land in the city of Alexandria, or the city of Washington.

R. T. HOOE.

October 23. eo

For Sale or Rent,

THAT handsome, convenient three story *BRICK HOUSE*, lately occupied by Edmud J. Lee, Esq. in King street, a few doors west of Pitt street.

SAMUEL CRAIG.

Dec. 15. eo

Alexandria County, ss.

I do hereby certify, that Wm. Kirby of said county, this day brought before me, A. Faw, one of the justices of peace for said county, as a trespassing estray, taken on his land, a *Sorrel Horse*, about 14½ hands high, 5 years old, a natural trotter, a blaze in his face, two white feet on the off side, a short switch tail, shod all round, some saddle spots on his back, has the distemper, and is appraised to fifty dollars.

Given under my hand this 5th day of February, 1802.

A. FAW.

The above notice is given, That whoever has lost said horse, may have him again on application to the subscriber, living near the Four Mile Run Mill, between Alexandria and George-Town, on proving property and paying charges.

Wm. KIRBY.

Feb. 10. raw3t‡

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